

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 687 OF 2018
IN
REJECTED CASE NO. 77 OF 2018

Oriental Assurance Co. Limited ...Applicant

Versus

Maqbool Rajesab Kotwal & Anr. ...Respondents

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Mr. A.K.Sharma I/b. Gandhi & Associates for the Applicant.

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CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **FEBRUARY 16, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The learned Counsel for the applicant submits that the applicant/ insurance company has deposited an amount of Rs.3,87,504/- i.e., decretal amount along with interest accrued thereon on 12th February, 2018. He further submits that this Civil Application is filed for restoration of First Appeal, which was dismissed by Registrar (Judicial-II) on 20th November, 2017 for non-

removal of office objections. Now, the applicant is ready to remove all office objections within a period of two weeks from today and, therefore, he prays that the First Appeal be restored. There is a delay of 79 days and hence, the delay be condoned.

3. Notice to the respondents is not required as the Appeal was dismissed before issuance of notice

4. In view of this submission, the order dated 20th November, 2017 passed by Registrar (Judicial-II) is set aside and the First Appeal is restored to its original file. Delay is condoned. The appellant shall remove the office objections within a period of two weeks from today. If the objections are not removed within the stipulated time, the Appeal will be dismissed without referring to the Court.

5. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)